

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

OAK STREET PRINTERY, LLC

Plaintiff

v.

FUJIFILM NORTH AMERICA CORP.

Defendant

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3:12-CV-96
(JUDGE MARIANI)

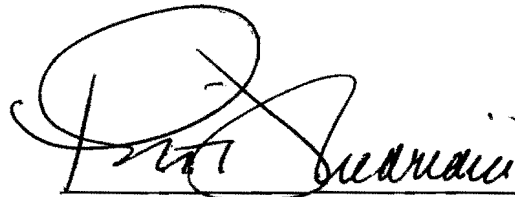
ORDER

AND NOW, TO WIT, THIS 17 TH DAY OF SEPTEMBER, 2012, upon consideration of Defendant's Motion to Dismiss and Transfer Case (Doc. 4), all accompanying briefs, Magistrate Judge Blewitt's Report & Recommendation ("R&R") (Doc. 15), Defendant's Objections (Doc. 16), Plaintiff's Brief in Opposition to Defendant's Objections (Doc. 17), and Defendant's Reply Brief (Doc. 18), **IT IS HEREBY ORDERED THAT:**

1. Defendant's Objections (Doc. 16) are **OVERRULED**.
2. Judge Blewitt's R&R (Doc. 15) is **ADOPTED**.
3. Defendant's Motion to Dismiss Plaintiff's negligence claim against Defendant (Doc. 4) is **GRANTED** and Plaintiff's negligence claim is **DISMISSED**.
4. Defendant's Motion to Transfer Case (Doc. 4) is **DENIED WITHOUT PREJUDICE**.

Defendant retains the right to renew its motion upon sufficient development of the record to enable the Court to evaluate the merits of its motion.

5. Defendant is directed to file its Answer to Plaintiff's Complaint within **TWENTY-ONE (21) DAYS** of the date of this Order. **ON OR BEFORE OCTOBER 8th, 2012**,
Defendant shall file its Answer.

A handwritten signature in black ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge